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HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

THE SITUATION IN THE OCCUPIED TERRITORIES OF CROATIA

Letter dated 19 December 1994 from the Permanent Representative of Croatia to the United Nations addressed to the Secretary-General

In accordance with instructions from my Government I have the honour to submit the following elements concerning the positions expressed by the Government of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" in a letter dated 6 December 1994 (A/C.3/49/29 of 9 December 1994) from the Chargé d'affaires, a.i. of the Permanent Mission of the Federal Republic of Yugoslavia (Serbia and Montenegro) addressed to you.

The Government of the Federal Republic of Yugoslavia (Serbia and Montenegro) claims that the "Federal Republic of Yugoslavia is not involved in the armed conflict with any of its neighbours, ..." Ironically, this unbelievable claim was published on the same day that the General Assembly passed resolution 49/43 by a vote of 142 to none, with 18 abstentions that concluded that the activities by the Federal Republic of Yugoslavia (Serbia and Montenegro) "aimed at achieving the integration of the occupied territories of Croatia into the administrative, military, educational, transportation and communication systems of the Federal Republic of Yugoslavia (Serbia and Montenegro) are illegal, null and void, and must cease immediately", and that requested the Federal Republic of Yugoslavia (Serbia and Montenegro) "to cease immediately any military and logistic support to the self-proclaimed authorities in the Serbian-controlled parts of Croatia".

I should also like to point out that the Security Council on numerous occasions recognized the military involvement of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" in Croatia by, inter alia, linking the sanctions regime imposed against the "Federal Republic of Yugoslavia (Serbia and Montenegro)" to the situation in the areas under Serb control in Croatia.

Furthermore, the claim that the "Federal Republic of Yugoslavia (Serbia and Montenegro)" is not involved in the conflict in the Republic of Bosnia and Herzegovina is unfounded. I should like to point out that Yugoslavia was barred from participating in the work of the General Assembly precisely for its military involvement in Bosnia and Herzegovina and Croatia. Also, the International Conference on the Former Yugoslavia border monitoring mission pursuant to resolution 943 (1994) was established for the very reason that Serbia and Montenegro were involved in Bosnia and Herzegovina. Despite this, the border monitoring mission confirmed in its 3 November report (S/1994/1246) that unusually large quantities of fuel are regularly transported from the "Federal Republic of Yugoslavia (Serbia and Montenegro)" into the occupied territories of Croatia. This fuel is then used by the local Croatian Serb paramilitary units and the Bosnian Serb paramilitary units in their joint offensive against Bihac, a Security Council-declared safe area in Bosnia and Herzegovina. This element is just one of many of similar nature and intent.

In addition, the Government of the "Federal Republic of Yugoslavia (Serbia and Montenegro)", by stating that "the Federal Republic of Yugoslavia ... does not interfere in the relations between the Republic of Croatia and the Republic of Serb Krajina", clearly demonstrates that it attempts to give international legitimacy to the self-proclaimed "Republic of Serb Krajina" and, therefore, is blatantly interfering in the internal affairs of the Republic of Croatia. This statement, especially when taken in the context of the overall letter, puts into question the declared intent of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" to recognize the territorial integrity of the Republic of Croatia. It is shocking and totally unacceptable that the authorities of the "Federal Republic of Yugoslavia (Serbia and Montenegro)" use the issue of human rights in order to rationalize the attempt to dismember a United Nations Member State by recognizing an entity that is not only unrecognized by the international community but whose recognition would mean accepting armed aggression and ethnic cleansing.

The above-mentioned statement is contrary to accepted norms of international behaviour and we call upon the "Federal Republic of Yugoslavia (Serbia and Montenegro)" to refrain from making such statements in the future.

Of particular repugnance is the statement in the letter that "very often Serb children have been converted to the Catholic faith" in the Republic of Croatia, implying that there is forced conversion of Serbs to Roman Catholicism and that this is being tolerated by the Government of the Republic of Croatia. I wish to condemn this statement in the strongest possible terms. This statement is not only a total fabrication but also represents an attempt by the "Federal Republic of Yugoslavia (Serbia and Montenegro)" to stir up religious hatred and intolerance.

It is unfortunate that the "Federal Republic of Yugoslavia (Serbia and Montenegro)" is allowed de facto participation in the work of the General Assembly, although it is not a Member State of the United Nations and despite it being prohibited from doing so by General Assembly resolution 47/1, in order to make claims that are contrary to international law and accepted norms of diplomatic behaviour and which serve to incite religious hatred and intolerance.

I would be grateful for your kind assistance in circulating the present letter as a document of the General Assembly under agenda items 100 (c) and 148.

(Signed) Mario NOBILO
Ambassador
Permanent Representative